

**118.315 Nomination for regular election by petition -- Form of petition -- Examination of petition.**

- (1) A candidate for any office to be voted for at any regular election may be nominated by a petition of electors qualified to vote for him or her, complying with the provisions of subsection (2) of this section. No person whose registration status is as a registered member of a political party shall be eligible to election as an independent candidate, nor shall any person be eligible to election as an independent candidate whose registration status was as a registered member of a political party on January 1 immediately preceding the regular election for which the person seeks to be a candidate. This restriction shall not apply to candidates to those offices specified in KRS 118.105(7), for supervisor of a soil and water conservation district, for candidates for mayor or legislative body in cities of the second to sixth class, or to candidates participating in nonpartisan elections.
- (2) The form of the petition shall be prescribed by the State Board of Elections. It shall be signed by the candidate and by registered voters from the district or jurisdiction from which the candidate seeks nomination. The petition shall include a declaration, sworn to by the candidate, that he or she possesses all the constitutional and statutory requirements of the office for which the candidate has filed. Signatures for a petition of nomination for a candidate seeking any office, excluding President of the United States in accordance with KRS 118.591(1), shall not be solicited prior to the first Wednesday after the first Monday in November of the year preceding the year in which the office will appear on the ballot. A petition of nomination for a state officer, or any officer for whom all the electors of the state are entitled to vote, shall contain five thousand (5,000) petitioners; for a representative in Congress from any congressional district, or for any officer from any other district except as herein provided, four hundred (400) petitioners; for a county officer, member of the General Assembly, or Commonwealth's attorney, one hundred (100) petitioners; for a soil and water conservation district supervisor, twenty-five (25) petitioners; for a city officer or board of education member, two (2) petitioners; and for an officer of a division less than a county, except as herein provided, twenty (20) petitioners. It shall not be necessary that the signatures of the petition be appended to one (1) paper. Each petitioner shall include the date he or she affixes the signature, address of residence, and date of birth. Failure of a voter to include the signature affixation date, date of birth, and address of residence shall result in the signature not being counted. If any person joins in nominating, by petition, more than one (1) nominee for any office to be filled, he or she shall be counted as a petitioner for the candidate whose petition is filed first, except a petitioner for the nomination of candidates for soil and water conservation district supervisors may be counted for every petition to which his or her signature is affixed.
- (3) Titles, ranks, or spurious phrases shall not be accepted on the filing papers and shall not be printed on the ballots as part of the candidate's name; however, nicknames, initials, and contractions of given names may be accepted as the candidate's name.
- (4) The Secretary of State and county clerks shall examine the petitions of all candidates who file with them to determine whether each petition is regular on its

face. If there is an error, the Secretary of State or the county clerk shall notify the candidate by certified mail within twenty-four (24) hours of filing.

**Effective:** July 12, 2006

**History:** Amended 2006 Ky. Acts ch. 187, sec. 1, effective July 12, 2006. -- Amended 2005 Ky. Acts ch. 71, sec. 8, effective June 20, 2005. -- Amended 2003 Ky. Acts ch. 53, sec. 1, effective June 24, 2003. -- Amended 2000 Ky. Acts ch. 275, sec. 2, effective July 14, 2000. -- Amended 1998 Ky. Acts ch. 2, sec. 5, effective July 15, 1998; and ch. 243, sec. 2, effective April 1, 1998. -- Amended 1992 Ky. Acts ch. 296, sec. 11, effective July 14, 1992. -- Amended 1990 Ky. Acts ch. 48, sec. 45, effective July 13, 1990; and ch. 166, sec. 1, effective July 13, 1990; and ch. 476, Pt. V, sec. 304, effective July 13, 1990. -- Amended 1988 Ky. Acts ch. 17, sec. 11, effective July 15, 1988. -- Amended 1986 Ky. Acts ch. 287, sec. 14, effective July 15, 1986; and ch. 470, sec. 27, effective July 15, 1986. -- Amended 1984 Ky. Acts ch. 185, sec. 17, effective July 13, 1984. -- Amended 1982 Ky. Acts ch. 394, sec. 26, effective July 15, 1982. -- Amended 1978 Ky. Acts ch. 318, sec. 7, effective June 17, 1978. -- Created 1974 Ky. Acts ch. 130, sec. 117, effective June 21, 1974.